

**HUMAN SERVICES DEPARTMENT[441]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 249.3 and 2012 Iowa Acts, Senate File 2336, section 18, the Department of Human Services proposes to amend Chapter 51, “Eligibility,” and Chapter 52, “Payment,” Iowa Administrative Code.

The purpose of these amendments is to implement cost-of-living increases to several State Supplementary Assistance program categories in accordance with 20 CFR 416.2095 and 416.2096 and 2012 Iowa Acts, Senate File 2336, section 18, amending 2011 Iowa Acts, chapter 129, section 124, subsections 2 and 3.

Effective January 1, 2013, the Supplementary Security Income (SSI) benefit will be increased according to the increase in the consumer price index from October 1, 2011, through September 30, 2012. The Social Security Administration has announced that this increase will be 1.7 percent. In order to comply with the federal maintenance-of-effort or “pass-along” requirement in calendar year 2013 using the payment levels method of compliance, Iowa must increase the payment amounts and income limits for each State Supplementary Assistance category (except In-Home Health-Related Care (IHHRC) provider rates and the Supplement for Medicare and Medicaid Eligibles) effective January 1, 2013, to equal the minimum levels required by the federal government. The minimum levels are increased each time the SSI benefit is increased. Compliance with the maintenance-of-effort requirement for state supplements is a condition of eligibility for state participation in the federal Medicaid program. Also, the Iowa General Assembly has directed the Department to increase the personal needs allowance of clients in the residential care facility program by the same percentage and at the same time as the SSI cost-of-living increase.

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 0489C**. The purpose of this Notice is to solicit comment on that submission, the subject matter of which is incorporated by reference.

Any interested person may make written comments on the proposed amendments on or before January 2, 2013. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations since the increases are required by federal and state law.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 249.3 and 2012 Iowa Acts, Senate File 2336, section 18, amending 2011 Iowa Acts, chapter 129, section 124, subsections 2 and 3.